

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FRESNO COUNTY EMPLOYEES' RETIREMENT ASSOCIATION, EMPLOYEE'S RETIREMENT SYSTEM OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE, and WILLIAM HUFF, Individually and on Behalf of All Others Similarly Situated,

Plaintiffs,

v.

COMSCORE, INC., SERGE MATTIA, MELVIN WESLEY, III, MAGID M. ABRAHAM, KENNETH J. TARPEY, WILLIAM J. HENDERSON, RUSSELL FRADIN, GIAN M. FULGONI, WILLIAM KATZ, RONALD J. KORN, JOAN LEWIS, RENTRAK CORPORATION, DAVID BOYLAN, DAVID I. CHEMEROW, WILLIAM ENGEL, PATRICIA GOTTESMAN, WILLIAM LIVEK, ANNE MACDONALD, MARTIN O'CONNOR, BRENT ROSENTHAL, and RALPH SHAW,

Defendants.

Case No. 1:16-cv-01820 - JGK

NOTICE OF DEFENDANT MELVIN WESLEY, III'S MOTION TO DISMISS PLAINTIFFS' CONSOLIDATED AMENDED CLASS ACTION COMPLAINT

ORAL ARGUMENT REQUESTED

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law, the Declaration of Michael P. Kelly, and the exhibits attached thereto, Defendant Melvin Wesley, III, through his undersigned attorneys, will move this Court, before the Honorable John G. Koeltl, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, on a date and at a time designated by the Court, for an order dismissing with prejudice, pursuant to Federal Rules of Civil Procedure 12(b)(6) and 9(b), Plaintiffs' Consolidated

Amended Class Action Complaint as against Mr. Wesley, and granting such other and further relief as the Court deems appropriate.

Washington, D.C.
Dated: December 9, 2016

HOGAN LOVELLS U.S. LLP

By: /s/ Michael P. Kelly
Michael P. Kelly
Douglas B. Paul*
Sarah C. Wang*
555 Thirteenth Street, N.W.
Washington, D.C. 20004
Telephone: (202) 637-5600
Facsimile: (202) 637-5910

Counsel for Defendant Melvin Wesley, III

* Motions for Admission *Pro Hac Vice* Pending

CERTIFICATE OF SERVICE

I hereby certify that on December 9, 2016, I caused a true and correct copy of the foregoing Notice of Defendant Melvin Wesley, III's Motion to Dismiss Plaintiffs' Consolidated Amended Class Action Complaint, Memorandum of Law in Support of Defendant Melvin Wesley, III's Motion to Dismiss, and Declaration of Michael P. Kelly with Exhibits to be electronically filed with the Clerk of the Court using the CM/ECF system. Notice of the filing will be sent to counsel of record by operation of the Court's electronic filing system.

/s/ Michael P. Kelly
Michael P. Kelly